

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE VALDIVIA-TORRES,

Defendant.

**4:13CR3079**

**ORDER**

Defendant has moved to continue defendant's change of plea hearing. (Filing No. 44). The court has granted four prior motions to continue. Counsel states the parties need additional time to engage in plea discussions. The motion to continue is unopposed. Based on the representations of counsel, the court finds the motion should be granted. Accordingly,

**IT IS ORDERED:**

- 1) Defendant's motion to continue, (filing no. 44), is granted.
- 2) The defendant's plea hearing will be held before the undersigned magistrate judge on November 3, 2015 at 11:00 a.m..
- 3) No further plea continuances will be granted. If the defendant is not prepared to plead guilty on November 3, 2015, the time calendared for the change of plea hearing will be used to set the trial date.
- 4) The defendant, his counsel, and counsel for the government shall appear at the hearing on November 3, 2015.
- 3) For the reasons stated by counsel, the Court finds that the ends of justice served by continuing defendant's plea hearing outweigh the best interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and the district court judge's acceptance or rejection of the anticipated plea of guilty shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

October 21, 2015.

BY THE COURT:

*s/ Cheryl R. Zwart*  
United States Magistrate Judge